

United States District Court, Eastern District of Washington
Magistrate Judge Mary K. Dimke
Yakima

USA v. JAMES DEAN CLOUD

Case No. 1:19-CR-2032-SMJ-1

**Arraignment on Third Superseding Indictment and
Defendant's Renewed Motion to Enter Due Process Protection
Act Order and Motion to Expedite Hearing:**

11/23/2020

<input checked="" type="checkbox"/> Pam Howard, Courtroom Deputy [Y]	<input checked="" type="checkbox"/> Thomas Hanlon, US Atty
	<input checked="" type="checkbox"/> Lorinda Youngcourt and Jay McEntire, Defense Atty
	<input checked="" type="checkbox"/> Interpreter NOT REQUIRED

<input checked="" type="checkbox"/> Defendant present <input checked="" type="checkbox"/> in custody USM	<input type="checkbox"/> Defendant not present / failed to appear
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<input checked="" type="checkbox"/> Rights given	<input checked="" type="checkbox"/> Defendant continued detained
<input checked="" type="checkbox"/> Acknowledgment of Rights filed	<input type="checkbox"/> Conditions of release as previously imposed
<input checked="" type="checkbox"/> Defendant received copy of charging document	
<input checked="" type="checkbox"/> Defendant waived reading of charging document	
<input type="checkbox"/> Charging document read in open court	

REMARKS

Defendant appeared and was assisted by counsel and advised of their rights and the allegations contained in the charging document.

Due to the charges and Defendant's criminal history, the Court orders Defendant be in leg restraints for this hearing. Defense does not object.

The Defendant acknowledged to the Court that their true and correct name is: JAMES DEAN CLOUD.

"Not guilty" plea entered.

Discovery to be provided pursuant to the local rule on discovery.

Court and the parties discuss pending motion.

Mr. McEntire presents argument regarding the Due Process Act.

Mr. Hanlon responds.

Mr. McEntire replies.

Oral order issued confirming the Government's disclosure obligations under the Due Process Protections Act and the possible consequences of violation of said order.

The Court ordered:

1. Matters involving detention have been previously heard and determined. Issue of detention not before the Court. Pre-existing Order of Detention will remain in full force.
2. Defendant's Motion to Expedite Hearing is **granted**.

3. Defendant's Renewed Motion to Enter Due Process Protection Act Order is **denied**. This matter is better addressed before the District judge for a more expansive order.
4. Defendant shall be detained by the U. S. Marshal until further order of the Court.